

PUBLIC NOTICE AND AGENDA OF THE GROVELAND LOCAL PLANNING AGENCY
MEETING SCHEDULED TO CONVENE AT 6:30 P.M., MONDAY, MAY 16, 2016, IN THE
PURYEAR BUILDING AT 243 SOUTH LAKE AVENUE.

CALL TO ORDER
ROLL CALL

MAYOR	TIM LOUCKS	tim.loucks@groveland-fl.gov
VICE-MAYOR	KAREN MCMICAN	karen.mcmican@groveland-fl.gov
COUNCILMEMBER	JOHN GRIFFIN	john.griffin@groveland-fl.gov
COUNCILMEMBER	DINA SWEATT	dina.sweatt@groveland-fl.gov
COUNCILMEMBER	MIKE RADZIK	mike.radzik@groveland-fl.gov
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ.	
CITY MANAGER	REDMOND JONES, II	redmond.jones@groveland-fl.gov
ACTING CITY CLERK	LISA CORTESE	lisa.cortese@groveland-fl.gov
SERGEANT-AT-ARMS	CHIEF M. SMITH TENNYSON	melvin.tennyson@groveland-fl.gov

Please note: Most written communication to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

AGENDA

1. Approval of Meeting Minutes from May 2, 2016
2. Ordinance 2016-05-12: Comp Plan Amendment – *Hope Plaza*
3. Ordinance 2016-05-13: PUD Rezoning – *Hope Plaza*
4. Ordinance 2016-05-14: Vacation of Easement – *Southgate*
5. Resolution 2016-05-13: Variance: Side Setback – *Eagle Pointe*

Comments from the Public

Adjournment

Groveland Code of Ordinances Sec. 2-58 (f). Any person desiring to address the council shall first secure the permission of the presiding officer and shall give his name and address for the record. All remarks shall be addressed to the council as a body and not to any member thereof unless permission to do so is first granted by the presiding officer. Unless further time is granted by the presiding officer or the council, members of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a councilmember or city official except through the presiding officer. **If your address is exempt from public record you are not required to state it. In addition, do not give out your Social Security Number, phone number, email address of any other information you do not want others to have access to as the meetings are recorded and those recordings are considered public record.**

Pursuant to the provisions of Chap. 286, F.S., Sec. 286.0105, if a person decides to appeal any decision made by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based and is advised to make such arrangements at his or her own expense.

City of Groveland
Meeting Minutes
Local Planning Agency
Monday, May 02, 2016

The Groveland City Council held a regularly scheduled meeting on Monday, May 02, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 6:30 pm with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik, and Council Member Dina Sweatt. City officials present were City Attorney Anita Geraci-Carver, City Manager Redmond Jones, Acting City Clerk Lisa Cortese and Sergeant-at-Arms Chief M. Smith Tennyson. Council Member John Griffin arrived at 6:42pm.

AGENDA

Consensus from City Council to move item number three on agenda to follow item number one.

1. Approval of Meeting Minutes 04-18-2016

*Council Member Dina Sweatt moved to approve; seconded by Vice-Mayor Karen McMican.
The motion was approved with all members present voting aye.*

2. Approve Rockers Lockers Lots 3-5 Site Plan

*Council Member Dina Sweatt moved to deny request to forward to City Council; seconded by Council Member Mike Radzik.
The motion was approved with all members present voting aye.*

3. Approve Resolution 2016-05-11: Rockers Lockers Lots 3-5 Landscaping Variance

*Council Member Mike Radzik moved to deny request to forward to City Council; seconded by Council Member John Griffin.
The motion was approved with all members present voting aye.*

ADJOURNMENT

Mayor Tim Loucks adjourned the meeting at 6:55pm.

Attest:



Tim Loucks, Mayor

Lisa Cortese, Acting City Clerk



REQUEST FOR LPA CONSIDERATION

MEETING DATE: May 16, 2016

ITEM NUMBER: 2

AGENDA ITEM: Ordinance 2016-05-12: Comp Plan Amendment – *Hope Plaza*

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

PREPARED BY: Ken Comia, City Planner

DATE: May 9, 2016

BACKGROUND:

This property is located off of State Road 33.



The applicant, Pastor Tony McCoy, has requested a Comprehensive Plan amendment for a future land use designation from City of Groveland Green Swamp Single Family Low Density and Conservation to City of Groveland Green Swamp Commercial and Conservation.

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Map of Boundary Survey

[illegible]

Hope International Church currently operates on the property. Pastor McCoy is seeking to create legal outparcels to develop light commercial uses in addition to the church building. This requires a future land use designation of Green Swamp Commercial. The future land use designation allows retail, office/personal services, recreation, churches, assisted living facilities, and schools. It requires paved roads, central water and sewer; all of which are provided for to the current site.

The portion of the parcel designated City of Groveland Conservation will remain City of Groveland Conservation and no future development will be placed on this segment.

After the first reading of the comprehensive plan amendment the ordinance will go to the State for review. Once approved by the State it will return to City Council for final approval along with the adoption of a rezoning of the property.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

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ORDINANCE 2016-05-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY LOW DENSITY AND CONSERVATION TO CITY OF GROVELAND GREEN SWAMP COMMERCIAL AND CONSERVATION ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of Groveland, Florida, adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended; and

WHEREAS, the request for this large scale plan amendment is initiated by the applicant, Hope International Church; and

WHEREAS, the applicant desires to develop on commercial outparcels, maintaining the existing church on site; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with the law; and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

WHEREAS, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Legislative Findings.

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

Section 2. Comprehensive Plan Amendment

A. The Property is legally described as:

The North 495 Feet of the South ½ of the Northeast ¼ of the Northwest ¼ of Section 30, Township 22 South, Range 25 East, Lake County, Less the West 50 Feet for Road Right of Way.

B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the hereafter described real property (the "Property"), on the City of Groveland Future Land Use Map from Green Swamp Single Family Low Density and Conservation and designating the Property on the Future Land Use Map to:

GREEN SWAMP COMMERCIAL: 13.792 acres more particularly depicted and described in **Exhibit A** hereto which shall be developed at a maximum intensity of 40 percent impervious surface and a 0.5 floor area ratio.

CONSERVATION: .748 acres more particularly depicted and described in **Exhibit A** hereto.

Section 3. Severability

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Direction to the City Manager.

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

Section 5. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

Section 7. Effective Date

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

Lisa Cortese, Acting City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading _____

Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

EXHIBIT "A"



Alternate Key: 1704669



REQUEST FOR LPA CONSIDERATION

MEETING DATE: May 16, 2016

ITEM NUMBER: 3

AGENDA ITEM: Ordinance 2016-05-13: PUD Rezoning – *Hope Plaza*

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

PREPARED BY: Ken Comia, City Planner

DATE: May 9, 2016

BACKGROUND:

This property is located off of State Road 33.



The applicant, Pastor Tony McCoy, has requested a Comprehensive Plan amendment for a future land use designation from City of Groveland Green Swamp Single Family Low Density and Conservation to City of Groveland Green Swamp Commercial and Conservation.

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Map of Boundary Survey

Scale: 1" = 100'

North Arrow: (Indicated by a line pointing towards the top of the page)

Table:

Section	Area (Acres)	Remarks
1	1.25	...
2	1.25	...
3	1.25	...
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93	1.25	...
94	1.25	...
95	1.25	...
96	1.25	...
97	1.25	...
98	1.25	...
99	1.25	...
100	1.25	...

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Hope International Church currently operates on the property. Pastor McCoy is seeking to create legal outparcels to develop light commercial uses in addition to the church building. This requires a future land use designation of Green Swamp Commercial. The future land use designation allows retail, office/personal services, recreation, churches, assisted living facilities, and schools. It requires paved roads, central water and sewer; all of which are provided for to the current site.

This ordinance designates the zoning of the project, which is consistent with its future land use designation.

The following uses shall be allowed as permitted uses on the entire site:

Assisted living facility

Business services, excluding rental and leasing services

Church

Communication sales and service

Professional offices

Restaurants, including drive-ins

Retail (excluding gasoline services and businesses using chemical operations)

School

Personal services, such as barber and beauty shops

Other similar no more intensive uses will be permitted at the discretion of the City Manager or designee. All other uses are prohibited.

Since this parcel is located in the Green Swamp Area of Critical State Concern, whenever the City issues any development order, copies of such orders are prescribed by rule by the state land planning agency (Department of Economic Opportunity) shall be transmitted to the state land planning agency, the regional planning agency, and the owner of developer of the Property affected by such order, as prescribed pursuant to Sections 380.05 and 380.07, Florida Statutes.

Additional Requirements

Within the Green Swamp ACSC, commercial development is subject to the following additional criteria:

- 1) Development is limited to 5,000 square feet gross leasable area.
- 2) Development shall be designed in order to reduce impervious surfaces and to minimize their impacts. Maximum combined lot coverage and impervious surface on the Property shall not exceed 40 percent. Development shall comply with the Guiding Principles for Development in the Green Swamp Area of Critical State Concern.
- 3) The front setback shall be 35 feet. Where the side or rear abuts residential development or is shown for residential use on the Comprehensive Plan Future

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Land Use Map, the minimum setbacks shall be 25 feet to include a ten-foot landscape buffer.

- 4) Maximum height shall be 35 feet or 2½ stories.
- 5) All parking areas and all other paved areas, shall be landscaped to achieve a 60 percent canopy.
- 6) The church, school and assisted living facility shall not be in full use simultaneously. The church and school shall not be in session simultaneously at any time. The owner shall regulate parking on the property to ensure vehicles only park in the 299 designated parking spaces and at no other locations on the property described above. Parking is reduced and restricted to the 299 designated parking spaces being allowed in this variance.
- 7) Land Development Regulations require a total of 374 parking spaces comprised as follows: Church use – 236, School use – 75 and Assisted Living Facility use – 75. The City hereby reduces the required parking spaces to 299 designated parking spaces, in part because of the cross usage.
- 8) Owner shall comply with all other provisions of the City of Groveland Code and Land Development Regulations including Paragraph 9B of Section 2.4, General Off-Street Parking Criteria, of Chapter VIII: Parking Requirements, of the City of Groveland's Land Development Regulations which states, "No grassed parking area shall be established within any required open space or landscaped area...". The grassed areas on the property will constitute the 60% required open space. As such, the owner agrees not to allow parking on these grassed areas.

Once Comprehensive Plan Amendment is approved by the State it will return to City Council for final approval along with the adoption of this rezoning.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

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ORDINANCE 2016-05-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, TO CHANGE THE ZONING FROM GREEN SWAMP RESIDENTIAL (GS-1) TO COMMERCIAL PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREIN DESCRIBED PROPERTY LOCATED IN THE GREEN SWAMP, AN AREA OF CRITICAL STATE CONCERN, ON STATE ROAD 33 AND OWNED BY HOPE INTERNATIONAL CHURCH, INC.; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCE IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Anthony McCoy on behalf of Hope International Church, Inc. (the "Owner") operates Hope International Church on real property it owns within the municipal limits of the City of Groveland (described in **Exhibit A** and hereafter referred to as the "Property") having a zoning designation of Green Swamp Residential (GS-1) as provided for in Ordinance 2006-06-48;

WHEREAS, the Owner desires to create additional parcels within the Property that can be leased for limited commercial and office uses allowable in the Green Swamp, and which is compatible with the existing church use;

WHEREAS, the Property has been subdivided into three parcels totaling 14.540 Acres, with Parcel A being .453 Acres, Parcel B being .296 Acres, and Parcel C being 13.571 Acres, and the Church will continue operating on Parcel C;

WHEREAS, the new outparcels are more particularly described in **Exhibit B** attached hereto and incorporated herein (collectively the "Property"; however, the newly created parcels for limited commercial and office use shall be referred to as the "Outparcels"); and

WHEREAS, the Property has a future land use designation of Green Swamp Commercial and Conservation on the City of Groveland Comprehensive Plan Future Land Use Map; and

WHEREAS, a Commercial PUD zoning is consisted with the future land use designation; and

WHEREAS, the Property is known as Hope Plaza, and the Outparcels will expand on the development of the Property, and the Property will be subject to the provisions provided in this Ordinance; and

WHEREAS, the City Council of the City of Groveland hereby finds and determines that the rezoning is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Groveland has advertised as required by law for one public hearing prior to the adoption of this Ordinance; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with the law;

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Groveland, Florida, shall be hereafter designated as Commercial PUD as defined in the Groveland Land Development Regulations.

LEGAL DESCRIPTION:

The North 495 Feet of the South ½ of the Northeast ¼ of the Northwest ¼ of Section 30, Township 22 South, Range 25 East, Lake County, Less the West 50 Feet for Road Right of Way.

Section 2. Zoning Classification.

That the Property so designated as PUD is subject to the following terms and conditions:

General

Development of this Property shall be governed by the contents of this document and applicable sections of the City of Groveland Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City. Where in conflict, the terms of this document shall take precedence over the City of Groveland Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Groveland Land Development Regulations. The site shall only be used for the commercial purposes listed as permitted uses in this ordinance.

Permitted Uses

The following uses shall be allowed as permitted uses on the entire site:

Assisted living facility
Business services, excluding rental and leasing services
Church
Communication sales and service
Professional offices
Restaurants, including drive-ins
Retail (excluding gasoline services and businesses using chemical operations)
School
Personal services, such as barber and beauty shops

Other similar no more intensive uses will be permitted at the discretion of the City Manager or designee. All other uses are prohibited.

Since this parcel is located in the Green Swamp Area of Critical State Concern, whenever the City issues any development order, copies of such orders are prescribed by rule by the state land planning agency (Department of Economic Opportunity) shall be transmitted to the state land

planning agency, the regional planning agency, and the owner or developer of the Property affected by such order, as prescribed pursuant to Sections 380.05 and 380.07, Florida Statutes.

Additional Requirements

Within the Green Swamp ACSC, commercial development is subject to the following additional criteria:

- 1) Development is limited to 5,000 square feet gross leasable area.
- 2) Development shall be designed in order to reduce impervious surfaces and to minimize their impacts. Maximum combined lot coverage and impervious surface on the Property shall not exceed 40 percent. Development shall comply with the Guiding Principles for Development in the Green Swamp Area of Critical State Concern.
- 3) The front setback shall be 35 feet. Where the side or rear abuts residential development or is shown for residential use on the Comprehensive Plan Future Land Use Map, the minimum setbacks shall be 25 feet to include a ten-foot landscape buffer.
- 4) Maximum height shall be 35 feet or 2½ stories.
- 5) All parking areas and all other paved areas, shall be landscaped to achieve a 60 percent canopy.
- 6) The church, school and assisted living facility shall not be in full use simultaneously. The church and school shall not be in session simultaneously at any time. The owner shall regulate parking on the property to ensure vehicles only park in the 299 designated parking spaces and at no other locations on the property described above. Parking is reduced and restricted to the 299 designated parking spaces being allowed in this variance.
- 7) Land Development Regulations require a total of 374 parking spaces comprised as follows: Church use – 236, School use – 75 and Assisted Living Facility use – 75. The City hereby reduces the required parking spaces to 299 designated parking spaces, in part because of the cross usage.
- 8) Owner shall comply with all other provisions of the City of Groveland Code and Land Development Regulations including Paragraph 9B of Section 2.4, General Off-Street Parking Criteria, of Chapter VIII: Parking Requirements, of the City of Groveland's Land Development Regulations which states, "No grassed parking area shall be established within any required open space or landscaped area...". The grassed areas on the property will constitute the 60% required open space. As such, the owner agrees not to allow parking on these grassed areas.

Amendments

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Council in accordance with the legal procedures to amend zoning ordinances.

Section 3. Consistent with Comprehensive Plan.

That the zoning classification is consistent with the Comprehensive Plan of the City of Groveland, Florida.

Section 4. Official Zoning Map.

That the City Manager, or designee, is hereby authorized to amend, alter, and implement the official zoning map of the City of Groveland, Florida, to include said designation.

Section 5. Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6. Conflict

That all ordinances shall or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date

This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Groveland.

PASSED and ORDAINED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

Lisa Cortese, Acting City Clerk



Approved as to form and legality:



"The city with a future, watch us grow!"

ORDINANCE 2016-05-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, VACATING CERTAIN RIGHTS OF WAY SHOWN ON THE PLAT OF GROVELAND FARMS, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LOCATED IN SECTION 21, TOWNSHIP 22 SOUTH, RANGE 25 EAST; VESTING OF TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Cary Malever of Southgate of Lake County, LLC, owner, seeks to vacate certain public rights of ways affect development of its property identified with Alternate Keys 1704651, 3684915, 1070333, 1008905, 1114845.

WHEREAS, the City Council is empowered pursuant to §166.042, *Florida Statutes*, to vacate public rights of ways within its municipal boundaries; and

WHEREAS, the City Council of the City of Groveland, Florida, has determined that the rights-of-way described herein below, are not needed for public use and convenience, now or in the future, and it is in the public interest to abandon the same as a right-of-way; and

WHEREAS, this Ordinance has been properly advertised in a newspaper of general circulation not less than ten days prior to the Local Planning Agency and City Council hearings on this Ordinance and property owners within a 150-foot radius of the property were provided written notice delivered by U.S. Mail, Certificate of Bulk Mailing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA AS FOLLOWS:

Section 1: Vacation.

The rights-of-way as shown on the Plat of Groveland Farms recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida, located in Section 21, Township 22 South, Range 25 East, and more particularly described as follows:

LEGAL DESCRIPTION

The South 25 feet of the South 165 feet of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 22 South, Range 25 East, Lake County, Florida, LESS AND EXCEPT the East 1033.26 feet thereof.

is hereby closed and vacated as a public right-of-way. **See attached Sketch of Description.**

SKETCH OF DESCRIPTION



Section 2: Vesting of title.

Title to said vacated right-of-way shall vest in accordance with law.

Section 3: Severability.

That if any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4: Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Groveland.

ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this ____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland Florida

ATTEST:

Lisa Cortese, Acting City Clerk



Approved as to Form:

Anita Geraci-Carver
City Attorney

Passed First Reading _____
Passed Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



REQUEST FOR LPA CONSIDERATION

MEETING DATE: May 16, 2016

ITEM NUMBER: 5

AGENDA ITEM: Resolution 2016-05-13: Variance to Side Setback – *Eagle Pointe*

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

PREPARED BY: Ken Comia, City Planner

DATE: May 9, 2016

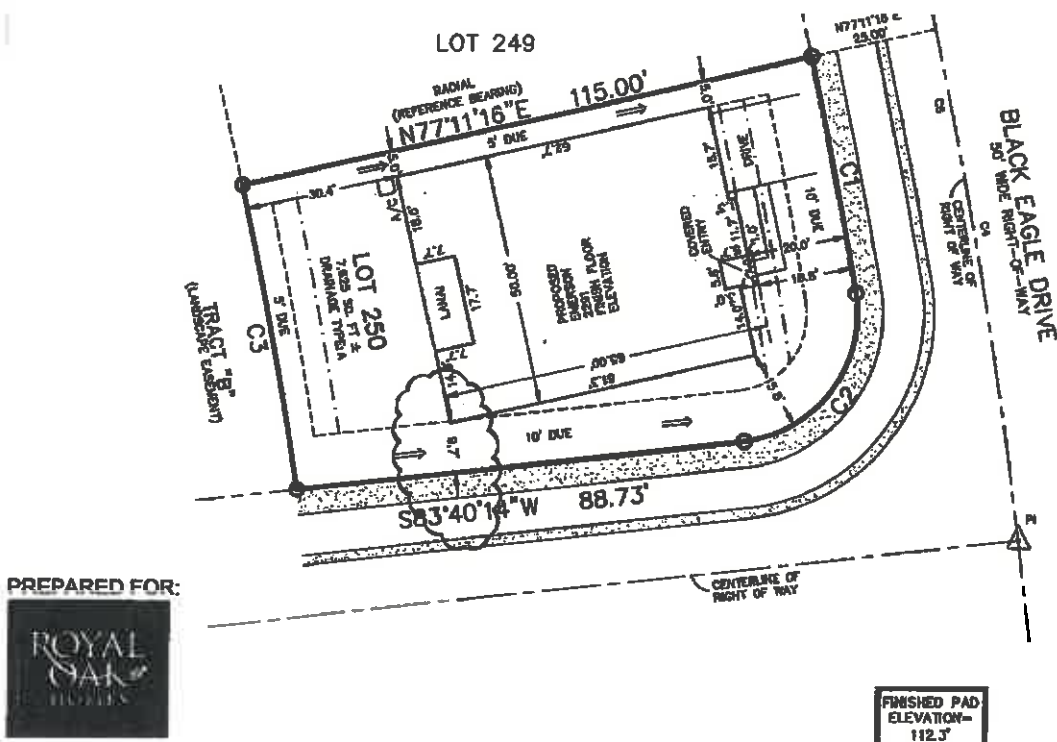
BACKGROUND

Location: 662 Black Eagle Drive

Zoning: PUD

The applicant, Royal Oak Homes is requesting a variance to allow a home on a corner lot to encroach into the side setback. The side setbacks in Eagle Pointe are five feet; however, on corner lots the street side setback requirement is ten feet.

The model home that the buyer has requested at 662 Black Eagle Drive is slightly wider than most other models and the uniqueness of this particular lot presents this slight issue. Royal Oak Homes has petitioned the City Council to allow for a 0.3 foot encroachment into the 10 foot street side setback requirement under the Eagle Pointe PUD.



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The model home can demonstrate the other side setback, front and rear setbacks for this lot, and staff feels the general intent of the larger street side setbacks for corner lots is being met and that this will not result in any public safety concerns.



STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

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RESOLUTION 2016-05-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, GRANTING A VARIANCE FROM SECTION 153-150(E)(1)(A) OF THE LAND USE AND DEVELOPMENT CODE OF THE CITY OF GROVELAND, FLORIDA BY REDUCING THE STREET SIDE SETBACK FROM 10 FEET TO 9.7 FEET FOR THE REAL PROPERTY LOCATED AT 662 BLACK EAGLE DRIVE, OWNED BY ROYAL OAK HOMES, LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Royal Oak Homes, LLC, has petitioned for a variance from a certain provision of the City of Groveland Code of Ordinances, for property located at 662 Black Eagle Drive in the City of Groveland, Florida;

WHEREAS, such property is identified with Alternate Key 3896825 is more particularly described as:

Lot 250, Eagle Pointe Phase II, as recorded in Plat Book 66, Page 51-53, Public Records of Lake County, Florida.

WHEREAS, applicant desires to request a variance from the City of Groveland's minimum street side setback for a corner lot within the Planned Unit Development zoning district; and

WHEREAS, to accommodate a particular model home, a variance from the requirements contained in the City of Groveland Land Development Regulations, Appendix A, Article IV, Section 4.15 and Ordinance 2003-07-34 is required; and

WHEREAS, this Resolution was properly advertised once in a newspaper of general circulation in Lake County, Florida, no less than 10 days prior to Council's consideration of this Resolution and property owners within 150 feet of the subject site were timely provided written notice delivered by U.S. Mail, Bulk Certificate of Mailing; and

WHEREAS, the City Council of the City of Groveland has considered the petition in accordance with the standards for granting variances contained in Section 8.03, City of Groveland Code of Ordinances

NOW THEREFORE, be it resolved by the City Council of the City of Groveland, Florida, as follows:

Section 1 The petition for variance filed by Royal Oak Homes, LLC, and located at 662 Black Eagle Drive, the City of Groveland, Florida, more particularly described as:

Lot 250, Eagle Pointe Phase II, as recorded in Plat Book 66, Page 51-53, Public Records of Lake County, Florida.

is granted as follows:

1. The City of Groveland's street side setback requirement within the Eagle Pointe Subdivision PUD of a minimum of 10 feet may be decreased to a street side setback requirement of 9.7 feet (0.3 feet encroachment into the 10 feet).
2. The variance to the setback requirement is granted only in connection with the above described property and for no other purpose.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

Lisa Cortese, Acting City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

Council Member _____ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		